

Notice of Allowability

Application No.

10/023,906

Examiner

Chad Rapp

Applicant(s)

KURIHARA ET AL.

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 06/20/05.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 6, 8, 10 and 16-21 renumbered as 1-12.
3. ☒ The drawings filed on 21 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

As to independent claims 1, 3, 4, 6 and 8, "discharge pulse number counting means for counting a discharge pulse number applied every predetermined time", in combination with the other claimed elements and features is not taught nor fairly suggested by the prior art of record.

As to independent claims 16, 18 and 20, "a discharge pulse number counter to count a discharge pulse number applied every predetermined time", in combination with the other claimed elements and features is not taught nor fairly suggested by the prior art of record.

As to independent claim 17, "a controller controlling discharge quiescent time such that a numerical value obtained by said discharge pulse number counter every determined time coincides with a numerical value stored in said reference discharge pulse number memory in accordance with a comparison result by said comparing part", in combination with the other claimed elements and features is not taught nor fairly suggested by the prior art of record.

As to independent claim 19, "a liquid amount controller adapted to increase or decrease an amount of coolant in accordance with said ratio", in combination with the other claimed elements and features is not taught nor fairly suggested by the prior art of record.

2. Prior art of record

Kamiguchi et al.(6,278,075) describes that the discharge or main pulse number counting means is counted based on distance and not the time as in the present application. Therefore Kamiguchi et al. (6,278,075) uses the distance pulse number in the ratios the comparing and the calculations, where the present application uses the pulse number based on predetermined time for the comparing, ratios and calculations.

Art Unit: 2125

The Kamiguchi et al. (EP 0934791 A2), which is similar to the Kamiguchi et al. (6,278,075) patent, teaches the discharge pulse counting means is based on distance. This distance is the thickness of the gap between the wire electrode, which doing the cutting and the work piece which is being cut. So the comparison is between a reference value and a measure value of a pulse number counting based on distance and not time as in the present application. So the Kamiguchi et al. (EP 0934791 A2), does not teach what the Kamiguchi et al. (6,278,075) patent lacks.

Independent claims 17 and 19 claim limitations previously objected to in the office action dated 2/11/05.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

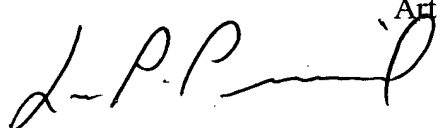
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Rapp whose telephone number is (571)272-3752. The examiner can normally be reached on Mon-Fri 11:00-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on (571)272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2125

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chad Rapp
Examiner
Art Unit 2125

A handwritten signature in black ink, appearing to read 'L.P.P.' followed by a stylized flourish.

cjr

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100